



U.S. Department of Justice

Environment and Natural Resources
Division

*Environmental Defense Section
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March 23, 2018

By U.S. Mail

David J. Bradley
Clerk of the Court
United States District Court
Southern District of Texas
United States Courthouse
515 Rusk Avenue
Houston, TX 77002

United States Courts
Southern District of Texas
FILED
APR 09 2018
David J. Bradley, Clerk of Court

Re: *ExxonMobil v. United States*, Nos. 4:10-cv-002386 & 4:11-cv-01814 (S.D. Tex.)

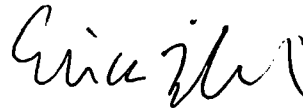
Dear Mr. Bradley:

Please find enclosed flash drives containing the exhibits to the United States of America's Opposition to Exxon Mobil Corporation's Consolidated Motion for Partial Summary Judgment as to Phase 2 Cost and Allocation Issues and accompanying Supplemental Statement of Undisputed Facts and Responses to Exxon Mobil Corporations' Proposed Findings of Undisputed Material Fact, which were electronically filed in the above-referenced pair of cases on March 23, 2018. We are filing the exhibits conventionally with permission of Judge Rosenthal's Chambers (as discussed in advance of the December 15, 2017 summary judgment filings) to avoid a rather substantial burden on the electronic filing system. The flash drives do not contain exhibits 1-163, which were previously filed by disk with the Court as part of the United States' December 15, 2017 Motion for Partial Summary Judgment on Phase Two Issues, to avoid duplicate filings.

We have enclosed two identical flash drives, one for each of the above-referenced cases. We will be providing courtesy copies to Lisa Eddins in Judge Rosenthal's Chambers separately.

Please do not hesitate to contact me at (202) 514-6390 or Erica.zilioli@usdoj.gov with any questions.

Best regards,



Erica M. Zilioli
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Counsel for the United States

cc: Daniel Steinway, Baker Botts LLP
Tynan Buthod, Baker Botts LLP

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

ExxonMobil
v.
United States

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CASE NUMBER 4:10-cv-2386
4:11-cv-1864

2 flash drives containing exhibits to the USA's Opposition to Exxon Mobil Corp's

Consolidated Motion for Partial Summary Judgment

DOCUMENT IS:

- ☐ LOOSE IN FILE
- ☐ IN VAULT SEALED
- ☒ IN BROWN EXPANDABLE FOLDER

INSTRUMENT # _____